



SEXUAL ASSAULT INVESTIGATIONS

Directive: 14 – 121

Date of Issue: July 2013 Amends/Cancel: N/A

I. PURPOSE

The purpose of this Directive is to establish guidelines to govern the conduct of sexual assault investigations and to emphasize a compassionate and supportive approach on the part of the investigating officers toward the victim.

II. POLICY

All officers will strictly adhere to the procedures set forth in this Directive.

III. DEFINITIONS

- A. Protective Orders are available for persons who have a relationship with the abuser: current or former spouse; cohabitant; have a child in common; relative by blood, marriage or adoption; *or* a victim, parent, stepparent, child or stepchild (of victim or abuser) who has lived with the abuser at least ninety days of the year before a Protective Order is sought. Vulnerable adults also may qualify for protective orders.
- B. Peace Orders are not available for persons who qualify for Protective Orders. They are available for victims who have been subjected to serious bodily harm and/or are in fear of imminent serious bodily harm and are not related to the suspect-abuser.
For example: persons who have been victimized by a neighbor, stranger, or someone with whom they are involved in a dating relationship may qualify for a Peace Order.
- C. Victims Assistance programs are available in all Maryland counties and Baltimore City. They include 24-hour telephone "Hotlines", crisis intervention, counseling, therapy, and professional service referrals. Most are free-of-charge.
- D. On first contact with a sexual assault victim, a law enforcement officer shall give the victim a copy of a pamphlet describing victims' rights, services, and procedures, before and after the filing of a charging document other than an indictment or information in circuit court.

IV. PROCEDURES

- A. The health and safety of a sexual assault victim is of paramount importance. The victim's physical condition and mental state should be immediately assessed and appropriate medical attention provided, if required.

- B. The first officer to respond to a sexual assault has three primary responsibilities:
1. Physically protect and emotionally support the victim.
 2. Identify, isolate and protect the crime scene.
 3. Conduct a quality preliminary investigation.
- C. Officers will respect and protect the identity and confidentiality of the sexual assault victim.
- D. Officers will deal with all sexual assault victims in a totally considerate and empathetic manner and to conduct the investigation objectively and professionally, without any preconceived or biased judgments relating to the victim's background, personal circumstances or perceived motivation.
- E. The principal investigating officer shall keep the sexual assault victim informed of the progress of the investigation.
- F. Investigating officers will explain to sexual assault victims the purpose and availability of judicial Peace Orders and Protective Orders.
- G. Investigating officers will clearly and patiently explain to sexual assault victims the availability of appropriate victim assistance programs and services.
- H. The investigating officer shall candidly inform the victim what will be expected of him/her in the ensuing criminal investigation and any possible court appearances.
- I. Polygraph
1. Officers investigating sexual assaults will not, at the onset of a sexual assault investigation, routinely request victim's to undergo a polygraph examination merely to pre-assess the credibility of their account. The use of a polygraph examination of the victim shall only be sought after the completion of a thorough investigation of all the available evidence relating to the reported incident.
 2. Polygraph examinations of sexual assault victims shall only be considered when the investigating officer has reasonable and articulable suspicion that a relevant and important part of the victim's report or testimony is false.